

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

vs.

CASE NO. 3:99CR00344-020 (PG)

BERNARDO HERNANDEZ-FERRER  
\* \* \* \* \*

MOTION NOTIFYING VIOLATIONS OF  
SUPERVISED RELEASE CONDITIONS AND THE REQUEST  
FOR THE ISSUANCE OF A WARRANT

TO THE HONORABLE JUAN M. PEREZ-GIMENEZ  
U.S. DISTRICT JUDGE  
DISTRICT OF PUERTO RICO

COMES NOW, Martín De Santiago, U.S. PROBATION OFFICER of this Court, presenting an official report on the conduct and attitude of releasee, Bernardo Hernández-Ferrer, who on May 25, 2001, was sentenced to a thirty-three(33) month imprisonment followed by a three (3) year supervised release term with special conditions of drug testing, and substance abuse treatment, if warranted, as well as financial disclosure. On January 10, 2003, he was released from custody and his three-year supervised release term began.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE  
AS FOLLOWS:

Since his release from custody, the offender has violated the following supervision conditions:

1. CONDITION NO. 2 - "YOU SHALL REPORT TO THE PROBATION OFFICER AND SHALL SUBMIT A TRUTHFUL AND COMPLETE WRITTEN REPORT WITHIN THE FIRST FIVE DAYS OF EACH MONTH."

The offender has not submitted his monthly supervision report for May, June, July, and August of 2005 as of this date.

**3. CONDITION NO. 3 - "YOU SHALL ANSWER TRUTHFULLY ALL INQUIRIES BY THE PROBATION OFFICER AND FOLLOW THE INSTRUCTIONS OF THE PROBATION OFFICER."**

Mr. Hernández-Ferrer has failed to follow our instructions by not showing up for office appointments on July 8, 2005; September 2, 15, and 16, 2005.

**2. CONDITION NO. 6 - "YOU SHALL NOTIFY THE PROBATION OFFICER AT LEAST TEN DAYS PRIOR TO ANY CHANGE IN RESIDENCE OR EMPLOYMENT."**

The offender neither notified his change of employment nor his residence. On August 16, 2005, an onsite interview with personnel at the offender's employment of record revealed that he was terminated in or about July 2005 for absenteeism. Several community contacts have yielded information that the offender's whereabouts are unknown.

**WHEREFORE,** I declare under a penalty of perjury that the foregoing is true and correct, and it is respectfully requested, unless ruled otherwise, that a warrant of arrest be issued so that the offender may be brought before this Court to show cause why his supervision term should not be revoked. Thereupon, he be dealt with pursuant to law.

In San Juan, Puerto Rico, this 26<sup>th</sup> day of September 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF  
U.S. PROBATION OFFICER

s/Martin De Santiago  
Martin De Santiago  
U.S. Probation Officer  
Federal Office Building Room 400  
150 Chardon Avenue  
San Juan, P.R. 00918-1741  
Tel. 787-766-5860  
Fax 787-771-4063  
E-mail: [martin\\_de\\_santiago@prp.uscourts.gov](mailto:martin_de_santiago@prp.uscourts.gov)

**CERTIFICATE OF SERVICE**

I HEREBY certify that on September 26, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

José A. Ruiz-Santiago, Assistant U.S. Attorney, and Julio Morales-Sánchez, Esq.

In San Juan, Puerto Rico, this 26<sup>th</sup> day of September 2005.

s/Martin De Santiago

Martin De Santiago

U.S. Probation Officer

Federal Office Bldg., Rm. G-50

150 Chardon Avenue

San Juan, P.R. 00918-1741

Tel. 787-766-5860

Fax 787-771-4063

E-mail:

[martin\\_de\\_santiago@prp.uscourts.gov](mailto:martin_de_santiago@prp.uscourts.gov)